

## FAIRCHILD AND W.M.TWEED

THE ATTORNEY GENERAL'S ANSWER TO  
TOHNSON'S ACCUSATIONS.

**Tweed's Confession Declared Worthless.—The Boss Not a Truth Teller—Mr. Townsend Said to Have Made a False Statement to the Commissioner of Internal Revenue.**

On the State of New York, Albany, June 28, 1877.

To the Honorable Governor of the State of New York:

Sir: I wish to report upon two of the cases brought under the law of 1875, in which important proceedings have been taken during my term of office. This I have your permission to do. These two actions are entitled The People and Peter B. Sweeny, and the People and William M. Tweed.

Under the authority given to him by the Attorney-General in 1871, Mr. O'Connor caused actions to be brought in the name of The People against many of the wrongdoers to recover the money unlawfully taken by them from the city and county of New York. These actions the Court of Appeals finally decided could not be maintained by the people. Although this decision delayed the recovery of a large amount of money, yet the vigor and energy of the prosecution had already driven from power and broken down the wrongdoers, and made the people of New York free; this was the main good sought by Mr. O'Connor's prosecution, and it was more important to the city and State than the mere getting of a sum of money, however large.

After chapter 49, of the Laws of 1875, which was enacted to cure the defect in our laws revealed by the decision of the Court of Appeals, these two actions against Tweed and Sweeny were brought by Mr. O'Connor's direction, under the authority given to him by the Attorney-General.

The people hoped to prove upon the trial of these actions, that of the more than \$6,000,000 claimed by them in 1870, at least sixty-five per cent, and a certain amount of interest was false, and for which the county of New York had received nothing; that the members of this Board of Audit knew of the falsity of these claims when they made them; that this sixty-five per cent, William M. Tweed received twenty-five, Richard B. Connally twenty, Peter B. Sweeny, or his representatives, ten, and that ten per cent, and the certain amount of interest was divided among several other persons. The remaining thirty-five per cent of the audited bills were received and kept by the persons in whose names the bills were, and was held over in the name for supplies a truly furnished board work a tally-hoys for the County of New York, although the audited bills were paid in full, and in the first trial against Mr. Tweed it was established that until the whole sum was satisfied, one of the persons concerned in this false and wrongful bill would be compelled to pay up the entire interest in it, whatever might be the sum that he had a truly received. Chapters 10 and 11 of the Laws of 1875, making the audit of accounts in arrears, and in the actions against Tweed and Sweeny, it was taken that the property of both Tweed and Sweeny, at the commencement of the actions, and prior to their trial, was the sum of \$10,000,000, and that was taken at the same time against Tweed and he was ordered to stand to the sum of \$10,000,000.

Peter B. Sweeny, and hence could not be arrested, William M. Tweed was, however, in prison, and upon his release from New York Island, serving on a joint trial with his co-defendants, and the cause of his conviction of forty-one misdemeanors committed by him as a member of the so-called Board of Audit. Some time after his trial, Mr. Tweed established that until the whole sum was satisfied, one of the persons concerned in this false and wrongful bill would be compelled to pay up the entire interest in it, whatever might be the sum that he had a truly received. Chapters 10 and 11 of the Laws of 1875, making the audit of accounts in arrears, and in the actions against Tweed and Sweeny, it was taken that the property of both Tweed and Sweeny, at the commencement of the actions, and prior to their trial, was the sum of \$10,000,000, and that was taken at the same time against Tweed and he was ordered to stand to the sum of \$10,000,000.

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Under these circumstances, we were offered \$10,000,000, or more, of the demands set off, and were willing to let for the public interest, to stand to the sum of \$10,000,000.

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ment among the other parties sharing the spoils.

We were able to show with a very high degree of probability, that about one-quarter of this forty percent, i.e., about ten percent of the whole claims allowed, was received by James M. Peckham, who was then Deputy Chamberlain, his brother-in-law, Mr. Bradley, being Chamberlain.

We could also show by the testimony of Inspector Hayes, that the large balance of the accounts of James M. Peckham, which disclosed these large deposits in bills and approximating to a regular percentage.

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